

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Sean Mooti,  
Plaintiff  
v.  
Commissioner of Social Security,  
Defendant

Case No.: 2:17-cv-02298-JAD-NJK

## **Order Adopting Report and Recommendation and Dismissing Case**

[ECF No. 17]

9       Counseled plaintiff Sean Mooti passed away in August 2017.<sup>1</sup> Mooti's sister, his only  
10 next of kin, told Mooti's counsel that "she did not want to proceed with the claim and to never  
11 reach out to her again."<sup>2</sup> When the court learned of Mr. Mooti's passing, it ordered that a motion  
12 to substitute be filed within 90 days.<sup>3</sup> A motion to substitute was not timely filed, so Magistrate  
13 Judge Nancy Koppe recommends that I dismiss this case.

Judge Koppe issued her recommendation on June 12, 2018, making June 26, 2018, the deadline to file objections. Three weeks have passed since the deadline expired, and no objection has been filed. “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.”<sup>4</sup> Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Koppe’s report and recommendation [ECF No. 17] is ACCEPTED and ADOPTED. This action is DISMISSED, and the Clerk of Court is directed to CLOSE THIS CASE.

Dated: July 17, 2018

Jennifer A. Dorsey  
U.S. District Judge Jennifer A. Dorsey

<sup>1</sup> ECF No. 15.

2 Id

<sup>3</sup> ECF No. 16.

<sup>4</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).